

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA**

In re:

STANLEY J. & JONI K. WILLIAMSON

Bky Case No. 04-33450

Chapter 7

Debtors.

**NOTICE OF MOTION
AND MOTION FOR TURNOVER**

TO: The Debtors, and other entities specified in Local Rule 9013-3(a).

1. Michael S. Dietz, Trustee for the bankruptcy estate of the above debtors, moves the court for the relief requested below and gives notice of hearing.

2. The court will hold a hearing on this motion at 1:30 a.m. on November 29, 2004, in Courtroom No. 228B, United States Courthouse, at 316 North Robert Street in St Paul, Minnesota.

3. Any response to this motion must be filed and delivered not later than 1:30 a.m. on November 22, 2004, which is seven days before the time set for the hearing, or filed and served by mail not later than November 19, 2004, which is ten days before the time set for the hearing.

**UNLESS A RESPONSE OPPOSING THIS MOTION IS TIMELY FILED, THE COURT
MAY GRANT THE MOTION WITHOUT A HEARING.**

4. This court has jurisdiction over this motion pursuant to 28 U.S.C. § 157 and 1334, Bankruptcy Rule 5005 and Local Rule 1070-1. This proceeding is a core proceeding. The petition commencing this chapter 7 case was filed on June 10, 2004. The case is now pending in this court.

5. This motion arises under 11 U.S.C. § 542(a). This motion is filed under Bankruptcy Rule 9014 and Local Rules 9013-9019.

6. The Debtors scheduled two (2) checking accounts with Wells Fargo; account #427-0680446 in the amount of \$530.76 and account #952-0179637 in the amount of \$68.62, wedding rings, Mossberg 12 gauge shotgun, Taurus .22 pistol, Two (2) Ruger .22 rifles, account receivables, 1990 Chevrolet pick up, 1998 Cadillac Seville, 2002 Polaris Snowmobile, Old pontoon boat, 25 New vacuums, 22 used vacuums, Toys, vacuum parts, bags and accessories. The Debtors also have the following unscheduled property: Wages due and owing at the time of filing in the amount of \$956.82. (collectively, all of the foregoing are referred to herein as the, "Property").

7. The Property is property, which the estate may use, sell or lease.

8. Movant requests relief with respect to turnover of the Property.

9. The Trustee believes the property for which turnover is requested is scattered at various locations. The Trustee requests the debtor be directed to deliver the property to a location designated by the Trustee within Sixty (60) miles of the Debtor's residence as indicated by their bankruptcy schedules.

10. The undersigned believes that pursuant to Local Rule 9013-5, this notice and motion contains an adequate statement of law and fact upon which the undersigned will rely at the hearing on this matter.

WHEREFORE, the Trustee moves the court for an order that Debtors turnover the Property at a location to be designated by the Trustee within ten (10) calendar days of the date of the Order for turnover

Dated: 10/28/04

By: /e/ Michael S. Dietz
Michael S. Dietz
P.O. Box 549
Rochester, Minnesota 55903-0549
Telephone: (507) 288-9111

VERIFICATION

I, Michael S. Dietz, Trustee, the moving party named in the foregoing notice of hearing and motion, declare under penalty of perjury that the foregoing is true and correct according to the best of my knowledge, information and belief.

Executed on: 10/28/04

/e/ Michael S. Dietz
Michael S. Dietz, Trustee
206 South Broadway, Ste 505
Post Office Box 549
Rochester, Minnesota 55903

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In Re:

Bankruptcy Case No. 04-33450

STANLEY J. AND JONI K. WILLIAMSON,

Debtors.

UNSWORN CERTIFICATE OF SERVICE

I, Emily D. Stenhoff, declare under penalty of perjury that on October 28, 2004, I mailed copies of the following:

Trustee's Notice of Motion and Motion for Turnover

by US Mail, postage pre-paid, to each entity named below at the address stated below:

OFFICE OF THE US TRUSTEE
1015 UNITED STATES COURTHOUSE
300 SOUTH FOURTH STREET
MINNEAPOLIS MN 55415

WILLIAM BODENSTEINER
ATTORNEY AT LAW
309 S MAIN STREET
AUSTIN MN 55912

STANLEY J. AND JONI K. WILLIAMSON
509 SOUTH MAIN STREET
AUSTIN MN 55912

Executed on October 28, 2004

Signed: _____



Emily D. Stenhoff
DUNLAP & SEEGER, P.A.
P O BOX 549
ROCHESTER MN 55903-0549
(507) 288-9111

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MINNESOTA**

In re:

STANLEY J. & JONI K. WILLIAMSON

Debtors.

Bky Case No. 04-33450

Chapter 7

ORDER

AT ST. PAUL, MINNESOTA.

The above matter came before the Court on November 29, 2004, upon the motion of the Trustee for turnover of non-exempt property. Appearances, if any, were noted on the record.

Based upon documents filed herein, and the arguments of counsel,

IT IS ORDERED, within ten days of the date of this Order, Debtors shall deliver the following property to Trustee:

The balance in the two checking accounts on the date of filing, namely \$68.62 and \$530.76, respectively; wedding rings, Mossberg 12 gauge shotgun, Taurus .22 pistol, Two (2) Ruger .22 rifles, account receivables, 1990 Chevrolet pick up, 1998 Cadillac Seville, 2002 Polaris Snowmobile, pontoon boat, 25 New vacuums, 22 used vacuums, Toys, vacuum parts, bags and accessories, wages due and owing in the amount of \$956.82.

IT IS FURTHER ORDERED, that the Debtors shall deliver such property to a location designated by the Trustee within sixty miles of the Debtors' residence.

Dated: _____

BY THE COURT:

Gregory F. Kishel
United States Bankruptcy Judge

